

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

STATE OF NEW MEXICO, *ex rel.*
State Engineer

Plaintiff,

v.

ROMAN ARAGON, *et al.*,

Defendants.

69cv07941-MV/KK

RIO CHAMA STREAM SYSTEM
Section 3: Rio Cebolla

Subfile No. CHCB-002-0002C

CONSENT ORDER

The Court, having considered the agreement between the Plaintiff State of New Mexico and Defendant:

DELFIN O. AND FRANCES S. QUINTANA TRUST

concerning the Defendant's right to use the public waters of the Rio Chama Stream System, as set forth below finds:

1. The Court has jurisdiction over the parties and the subject matter of this suit.
2. The State of New Mexico and the above-named Defendant are in agreement concerning certain elements of Defendant's right to divert and use the public waters of the Rio Chama Stream System, Rio Cebolla, Section 3, and by their signatures appearing below, the State and the Defendants have approved and accepted the elements of the Defendant's water rights as set forth in paragraph 4 herein.
3. There is no just reason for delay for the entry of a final judgment as to the elements of the claims of the Defendant adjudicated by this order.
4. The rights of the Defendant to divert and use the public waters from the Rio Chama

Stream System, Rio Cebolla, Section 3, are set forth below:

A. NO RIGHT

Office of the State Engineer File No. NONE

Priority: NONE

Source of Water: Surface waters of the Rito del Medio, a tributary of the Rio Cebolla, a tributary of the Rio Chama.

Purpose of Use: NO RIGHT

Point of Diversion:

Ditch Name: ALFALFITA DITCH

Location X: 1,577,714 feet **Y:** 2,021,173 feet
New Mexico State Plane Coordinate System, Central Zone, NAD 1983

Location and Amount of Acreage:

Township 27N, Range 04E, Section 24, N.M.P.M.

Pt. SW¼

2.0

Total 2.0 acres

As shown on the attached revised Hydrographic Survey Map for Subfile No. CHCB-002-0002C.

Amount of Water: NONE

5. Defendant has no surface water rights in the Rio Chama Stream system, Rio Cebolla, Section 3, other than those set forth in this order and those other orders entered by this Court in this cause.
6. Defendant, his or her successors, representatives, heirs and assigns, should be enjoined from any use of the surface waters of the Rio Chama Stream System, Rio Cebolla, Section 3, except in strict accordance with the water rights described herein.
7. The water rights described herein, if any, are adjudicated subject to the right of any other water right claimant with standing to object prior to the entry of a final decree.

IT IS THEREFORE ORDERED that the rights of the Defendant to divert and use the

waters of the Rio Chama Stream System, Rio Cebolla, Section 3, are as set forth herein. The Defendant, his or her successors, representatives, heirs and assigns, are enjoined from any diversion or use of the public surface waters of the Rio Chama Stream System, Rio Cebolla, Section 3, except in strict accordance with the water rights described herein or in other orders of the Court.

The Court enters this Consent Order as a final judgment as to the elements of the Defendant's water rights set forth herein, subject to the right of other claimants to file objections to individual adjudication orders, and to the entry of the final decree in this proceeding.



MARTHA NÁJQUEZ
UNITED STATES DISTRICT JUDGE


ACCEPTED:



Delfin O. and Frances S. Quintana Trust

ADDRESS: P.O. Box 164
Cebolla, N. Mex. 87518

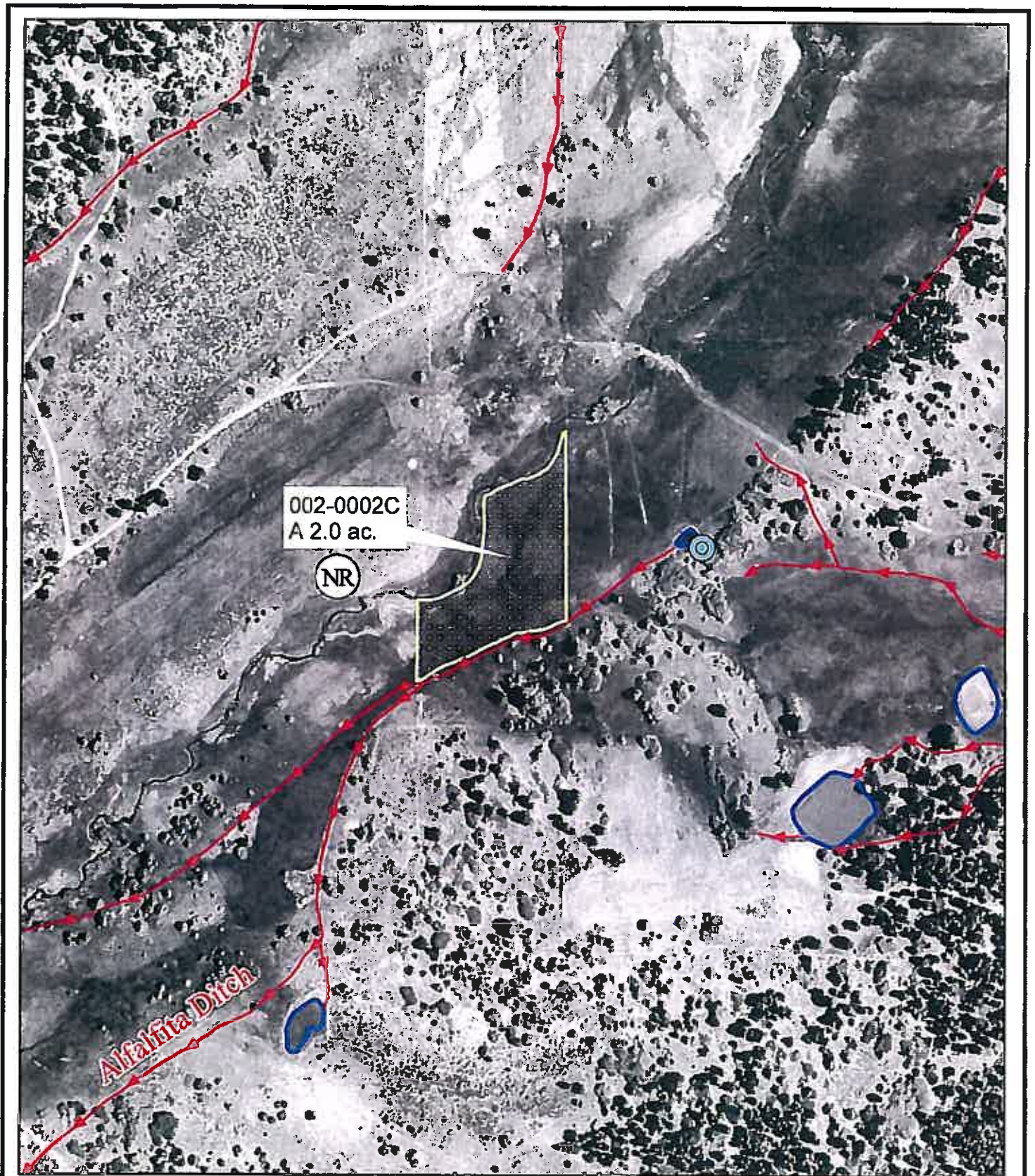
DATE: February 4, 2017



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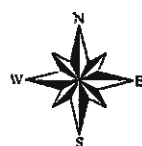


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LEGEND

- | | |
|--------------------------|--------------------|
| Irrigated Tract Boundary | Point of Diversion |
| No Right Tract Boundary | Well |
| Seeped Area | Spring |
| Operable Ditch | Fallow |
| Inoperable Ditch | No Right |
| Stock Ponds / Reservoir | |



1 inch = 300 feet
0 50 100 200 300
Feet

STATE OF NEW MEXICO
Office of the State Engineer
Tom Blaine, P.E.,
State Engineer

Rio Chama Hydrographic Survey
Rio Cebolla Section



Subfile Number
CHCB 002-0002C
Alfalfita Ditch
AMENDED
January 31, 2017